

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

STATE OF MISSOURI, STATE OF
LOUISIANA, *et al.*,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official
capacity as President of the United States,
et al.,

Defendants.

Case No. 3:22-cv-01213-TAD

SECOND SUPPLEMENTAL DECLARATION OF JIM HOFT

1. My name is Jim Hoft. I am over the age of 18 years and competent to testify to the matters expressed herein.

2. I have previously submitted two Declarations in this case, filed with the Court as Doc. 10-5 (45-5) and Doc. 227-8. Those prior Declarations are incorporated by reference herein.

3. My previous two Declarations detailed some examples of injury I have experienced due to censorship of speech, both from censorship of my own speech, the speech of others with which I would otherwise have been able to engage, and the self-censorship of readers of my blog, The Gateway Pundit, for fear of retaliation from social media companies. They even detail self-censorship I have felt compelled to do to avoid further harm.

4. As described in my previous Declarations, my online publication, The Gateway Pundit, is a news and opinion blog seen by readers millions of times every day. The Gateway Pundit is my sole means of earning a living. Social media platforms can be a very important means of gaining exposure to Gateway Pundit articles and engaging in public debate. However, Gateway

Pundit has been the victim of a federal-private organized and targeted censorship campaign that has lasted several years, and this campaign has regularly interfered with and interrupted my ability to communicate with my readers.

5. The harms I experience due to censorship of speech on social media are ongoing.

6. For example, to avoid being permanently banned by Facebook and other platforms, I have self-censored the Gateway Pundit articles that are posted there. Rather than freely posting my site's content on these platforms, to this day I have and continue to deliberately withhold content – particularly on matters relating to COVID-19, vaccination for the same, and the 2020 election. I continue to do this out of fear of reprisals from social media. In fact, Facebook continuously warns me and Gateway Pundit that we should be careful to toe their narrative line or else we will be permanently banned. See screenshots below, taken May 19, 2023.

Gateway Pundit

Page Quality

 Page is at risk



Don't lose your Page!

Your Page is at risk due to Community Standards violations. Any additional violations could get your Page taken down permanently.

[Learn More](#)

Restrictions

Your page is restricted because it didn't follow Community Standards. We know we're not always right, if you think we got it wrong you can disagree with our decision and in some cases get the restriction removed.



Your Page is at risk of being unpublished, and has reduced distribution and other restrictions, due to Community Standards violations.



This Page isn't being suggested to people at this time




7. And not only have I withheld content, I have deliberately reduced *and continue to reduce* the volume of overall content posted to social media for the very same reasons.

8. As seen from the screenshots above, Facebook and other social media sites are reducing the visibility of Gateway Pundit's Facebook posts, reducing distribution, and imposing other restrictions as well, on an ongoing basis.

9. As only one example, Facebook restricts Gateway Pundit's ability to monetize its posts, restricts its ability to tag partners in posts, and restricts content due to "false news" allegations.


Status


Status

 1 Page **with restricted monetization**

[View Page Eligibility](#)

Action Required

 **Restricted monetization**

 Gateway Pundit

[See Details](#)

Monetization
Get an overview of your current monetization products, see insights, manage available tasks, and onboard to new products.

Overview
Branded Content

Recent Violations Monetization Tools

Restricted monetization
Your ability to earn is limited because Gateway Pundit isn't following our [Partner Monetization Policies](#). [Request another review](#)

Violations affecting your monetization tools

Community Standards
Gateway Pundit shared content that was removed by Facebook because our technology detected that it goes against our [Community Standards](#).

How this affects your Page

- Other monetization tools**
May not have access to additional monetization tools
- Branded content tagging**
You're unable to tag partners in your posts

False news
Gateway Pundit repeatedly shared content that was rated false by an independent fact-checker. [Learn more](#).

How this affects your Page

- Branded content tagging**
You're unable to tag partners in your posts
- Other monetization tools**
May not have access to additional monetization tools

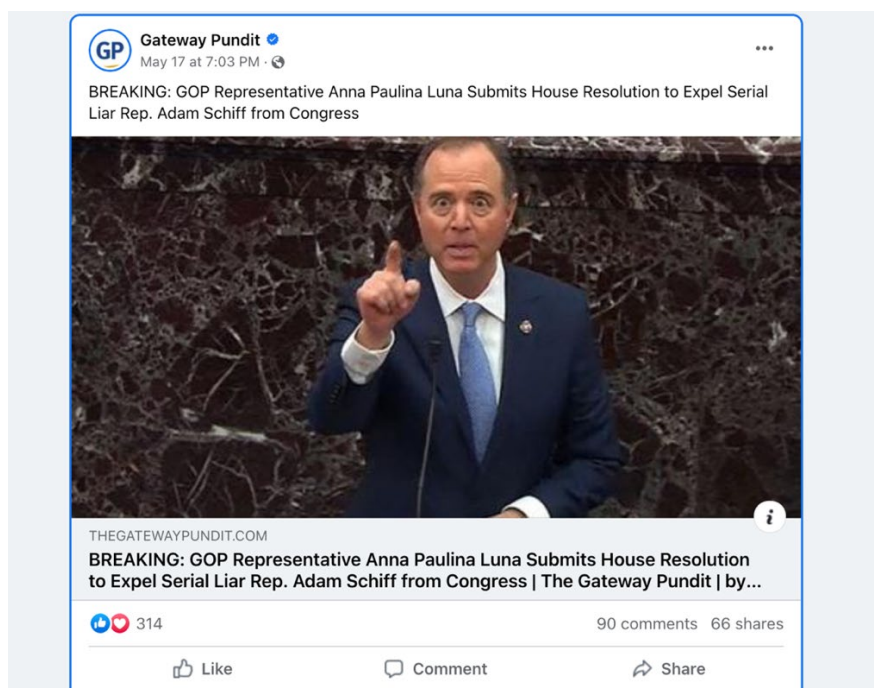
10. The past reprisals have included downgrading the visibility of my posts in Facebook's News Feed (thereby limiting its reach to other users), downgrading the visibility of my posts in my Facebook Groups, temporary banning, permanent banning (in the case of Twitter), flagging, and a wide variety of other forms of censorship.

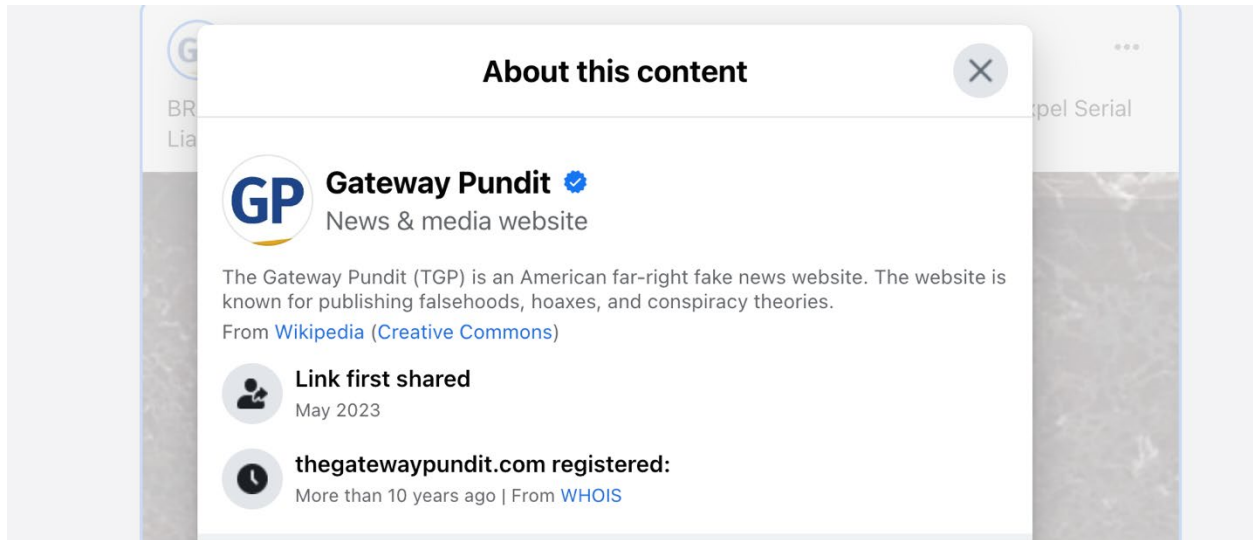
11. Despite my efforts at self-censorship, Gateway Pundit is also besieged by malicious government-funded propaganda outfits that style themselves "fact-checkers." As one recent example, Gateway Pundit published an article detailing the federal government provisioning thousands of illegal immigrants with taxpayer-funded smart phones. See <https://www.thegatewaypundit.com/2023/05/member-trusted-news-initiative-currently-being->

[sued-collusively/?utm_source=rss&utm_medium=rss&utm_campaign=member-trusted-news-initiative-currently-being-sued-collusively](#). The article was “fact-checked” by Agence France Presse Fact Check (AFP). Despite AFP learning that what we reported was true – illegal immigrants were, in fact, gifted smart phones bought and continually paid for by the federal government – AFP still reported that our article was false.

12. I also know from communications with readers that there are many readers who refuse to post Gateway Pundit articles to their social media accounts out of fear of social media reprisals. The readers self-censor because either they or their family members or friends have been previously banned or shadow-banned, or otherwise attacked and censored by social media companies after posting articles which were against the federal government’s preferred narrative.

13. As a further example of ongoing social media censorship, Facebook continues to attach a defamatory smear against Gateway Pundit to each and every Gateway Pundit Facebook post. The most recent example is from May 17, 2023; see below:





14. All of these examples censored speech pertain to speech of public interest. This censorship interrupts the ability of The Gateway Pundit to reach its readers. It is not only demoralizing, but it prevents me – and my readers – from engaging in public debate on public issues, and it erodes the democratic process. When the government limits the range of thought and permitted viewpoints, one cannot say they live in a functioning republic, and cannot honestly say they possess freedom.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed On: May 19, 2023

/s/ Jim Hoft

Jim Hoft